

Remarks

Upon entry of the foregoing amendments, Claims 1-36 are pending. Claims 1 and 12 have been amended. In view of the amendments and following remarks, Applicants respectfully request reconsideration by the Examiner, and advancement of the application to allowance.

Specification

The Examiner objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. Applicants have amended the specification and request advancement of the application to allowance.

Claim Objections

The Examiner objected to Claim 30 because of a misspelling. Applicants have amended Claim 30 and request advancement of the application to allowance.

35 U.S.C. § 102(b) and § 103(a) under Yatake

The Examiner rejects Claims 1-3, 6-12, 34 and 36 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative under 35 U.S.C. § 103(a) as obvious, over U.S. Patent No. 6,051,057, listing Yatake et al. as inventors (hereinafter "Yatake").

Yatake discloses a solvent useful in ink compositions that "enables the viscosity of the ink composition to be maintained at a low value, so that the amount of the colorant added can be increased." [Col. 4, Line 67 to Col. 5, Line 2]

Claim 3, as amended, discloses a composition "wherein the average molar value of n for the total of the compounds of formula (II) in said composition is in the range of 1 to 2."

Applicants respectfully submit that the cited reference fails to disclose each and every element of Applicants' invention, as amended, and does not make obvious any claim of Applicants' invention. In order to establish a prima facia case of obviousness, the prior art reference must teach or suggest all of the claimed limitations (MPEP 706.02(j)). Applicants respectfully submit that the cited reference fails to teach or suggest each and every element of Applicants' claimed invention. Yatake fails to disclose a composition "wherein the average molar value of n for the total of the compounds of formula (II) in said composition is in the range of 1 to 2," as stated in amended Claim 3. The cited reference fails to disclose the recited limitation and therefore, cannot anticipate or render obvious, Claim 3. Further, Yatake does not suggest or teach a formula that is useful as a frother. Applicants note that Yatake (as well as the following cited references) teach and suggest improving solvency characteristics in inks and detergents. Solvent technology focuses on using carrier molecules to transfer (or blend) molecules from one environment into another environment. For example, Yatake teaches using carrier molecules to transfer non-water soluble pigments into a water soluble ink composition. Rather, frothing technology desires to produce a froth bed (of bubbles) of a desired stability within a system subjected to aeration and agitation, but this froth bed needs to collapse after removal of aeration and agitation. This is why detergent foam is different from a froth foam. The detergent foam persists after the aeration and agitation ends, rather froth

foam collapses. For the above reasons, Applicants argue that Yatake does not teach or suggest Applicants' invention.

Given that Claims 6-12 depend from Claim 3, Applicants respectfully submit that Claims 6-12 are allowable. Applicants have cancelled Claims 1, 2, 34 and 36. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 3 and 6-12.

35 U.S.C. § 103(a) under Satoru

The Examiner rejects Claims 1-22, 25, 34 and 36 under 35 U.S.C. § 103(a) as being unpatentable over JP 2001-131107, listing Satoru et al. as inventors (hereinafter "Satoru").

Satoru discloses glycol ether based compounds for use in detergent formulation with the aim of improving the solvency of the formulation and assist with removal of oil contamination.

Satoru fails to disclose a composition "wherein the average molar value of n for the total of the compounds of formula (II) in said composition is in the range of 1 to 2," as stated in amended Claim 3. Satoru fails to disclose a method comprising the step of "recycling the unreacted secondary alcohol back to the ethoxylation vessel," as recited in amended Claim 13. The cite reference fails to disclose the recited limitation and therefore, cannot anticipate or render obvious, Claims 3 and 13.

The specification of Satoru further discloses that, "[t]he ethyleneoxide and/or the propylene oxide adduct of short chain alcohol are useful as a 'glycol ether system solvent' as solvents, such as a paint and printer's ink, a surface-active agent, a cosmetics raw

material, etc. a heat carrier, etc. If it blends with a detergent from the characteristic as a solvent especially, it is observed from high removal performance being shown to stubborn oil contamination, etc." (Satoru [0002]) As argued above, Applicants argue that solvent technology, or its application to detergent technology, does not teach or suggest chemicals useful in frothing technology. In detergent technology, the problem is to transfer oil molecules into a water solution. Rather, in frothing technology, the problem is to create a stable froth bed that will collapse after aeration and agitation is removed. Therefore the two technologies are not related and Satoru does not teach or suggest Applicants' invention.

Applicants have cancelled Claims 1, 2, 4, 25, 34 and 36. Given that Claims 5-12 depend from Claim 3 and Claims 14-22 depend from Claim 13, Applicants respectfully submit that Claims 5-12 and 14-22 are allowable. For all the reasons above, Applicant respectfully requests that the Examiner withdraw the rejections under 35 U.S.C. § 103 (a) and allow Claims 3 and 5-22.

35 U.S.C. § 103(a) under Meschke and Moody

The Examiner rejects Claims 1, 3-5, 7-13, 15-25, 34 and 36 under 35 U.S.C. § 103(a) as being unpatentable over EP 0 506 087 A2, listing Meschke et al. as inventors (hereinafter "Meschke") alone or in view of U.S. Patent No. 5,844,115, listing Moody et al. as inventors.

Meschke discloses compositions and methods for cleaning wherein one embodiment comprises a debris solubilizing amount of at least one alkoxylate (Meschke, Abstract).

Moody discloses the preparation of alkoxylation products by the catalysed condensation reaction of epoxides (alkylene oxides) and organic compounds having at least one active hydrogen.

Meschke and Moody fail to disclose a composition "composition comprising at least two compounds of formula (II)...wherein the average molar value of n for the total of the compounds of formula (II) in said composition is in the range of 1 to 2," as stated in amended Claim 3. Meschke and Moody also fail to disclose a method comprising the step of "recycling the unreacted secondary alcohol back to the ethoxylation vessel," as recited in amended Claim 13. The cite reference fails to disclose the recited limitation and therefore, cannot anticipate or render obvious, Claims 3 and 13. Further, Meschke teaches solvent/detergent technology which is unrelated to the frother technology of the present invention. Therefore, Meschke and Moody fail to teach or suggest Applicants' invention.

Applicants have cancelled Claims 1, 4, 25, 34 and 36. Given that Claims 5 and 7-12 depend from Claim 3 and Claims 15-24 depend from Claim 13, Applicants respectfully submit that Claims 5 and 7-12 and 15-24 are allowable. For all the reasons above, Applicant respectfully requests that the Examiner withdraw the rejections under 35 U.S.C. § 103 (a) and allow Claims 3, 5, 7-13 and 15-25.

35 U.S.C. § 103(a) under Klimpel, Hansen, Meschke, and Firth

The Examiner rejects Claims 1-22, and 24-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over "Coal Preparation," 1992, 10(1-4), abstract by Klimpel in view of U.S. Patent No. 4,582,596, listing Hansen et al. as inventors, and EP 0 506 087

A2, listing Meschke et al. as inventors (hereinafter "Meschke") and further in view of U.S. Patent No. 5,855,769, listing Firth et al. as inventors.

Klimpel, Hanson, Meschke and Firth fail to disclose a composition "composition comprising at least two compounds of formula (II)...wherein the average molar value of n for the total of the compounds of formula (II) in said composition is in the range of 1 to 2," as stated in amended Claim 3. The above references also fail to disclose a method comprising the step of "recycling the unreacted secondary alcohol back to the ethoxylation vessel," as recited in amended Claim 13. The above references also fail to disclose a composition of amended Claim 3 as disclosed in Claims 26, 30, 31, 32, and 33. The cite reference fails to disclose the recited limitation and therefore, cannot anticipate or render obvious, Claims 3, 13, 26, 30, 31, 32 and 33.

Applicants submit there is no motivation, suggestion, or teaching to combine Klimpel, Hanson, Meschke and Firth. As argued earlier, to solve problems of frothing one would not look to solvent and detergent technology.

Applicants have cancelled Claims 1, 2, 4, 25, 34, 35 and 36. Given that Claims 5-12 depend from Claim 3; Claims 14-22 and 24 depend from Claim 13; and Claims 27-29 depend from Claim 26, Applicants respectfully submit that Claims 5-12, 15-22, 24 and 27-29 are allowable. For all the reasons above, Applicant respectfully requests that the Examiner withdraw the rejections under 35 U.S.C. § 103(a) and allow Claims 3-22 and 24-33.

Change of Correspondence Address

Applicants also submit an application for change of correspondence address.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is now in condition for allowance, and respectfully request issuance of a Notice of Allowance directed towards the pending Claims.

Should any fees be due in connection with the filing of this document, the Commissioner for Patents is hereby authorized to deduct said fees from Huntsman Corporation Deposit Account No. 08-3442.

Please date stamp and return the enclosed postcard acknowledging receipt of this material.

Respectfully Submitted,



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